

Docket No.  
YO999-203

# Declaration and Power of Attorney For Patent Application

## English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

**REDUCTION AND OPTIMIZATION OF INFORMATION PROCESSING SYSTEMS**

the specification of which

(check one)

☐ is attached hereto.

☒ was filed on 5/28/99 as United States Application No. or PCT International Application Number 09/322,521 and was amended on \_\_\_\_\_ (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Not Claimed

\_\_\_\_\_  
(Number)

\_\_\_\_\_  
(Country)

\_\_\_\_\_  
(Day/Month/Year Filed)

☐

\_\_\_\_\_  
(Number)

\_\_\_\_\_  
(Country)

\_\_\_\_\_  
(Day/Month/Year Filed)

☐

\_\_\_\_\_  
(Number)

\_\_\_\_\_  
(Country)

\_\_\_\_\_  
(Day/Month/Year Filed)

☐

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

\_\_\_\_\_  
(Application Serial No.)

\_\_\_\_\_  
(Filing Date)

\_\_\_\_\_  
(Application Serial No.)

\_\_\_\_\_  
(Filing Date)

\_\_\_\_\_  
(Application Serial No.)

\_\_\_\_\_  
(Filing Date)

I hereby claim the benefit under 35 U. S. C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C. F. R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

\_\_\_\_\_  
(Application Serial No.)

\_\_\_\_\_  
(Filing Date)

\_\_\_\_\_  
(Status)  
(patented, pending, abandoned)

\_\_\_\_\_  
(Application Serial No.)

\_\_\_\_\_  
(Filing Date)

\_\_\_\_\_  
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\_\_\_\_\_  
(Application Serial No.)

\_\_\_\_\_  
(Filing Date)

\_\_\_\_\_  
(Status)  
(patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. *(list name and registration number)*

Manny W. Schecter, Reg. 31,722

Terry J. Ilardi, Reg. 29,936

Christopher A. Hughes, Reg. 26,914

Edward A. Pennington, Reg. 32,588

John E. Hoel, Reg. 26,279

Joseph C. Redmond, Jr., Reg. 18,753

Kevin M. Jordan, Reg. 40,277

Stephen C. Kaufman, Reg. 29,551

Jay P. Sbrollini, Reg. 36,266

David M. Shofi, Reg. 39,835

Robert M. Trepp, Reg. 25,933

Louis P. Herzberg, Reg. 41,500

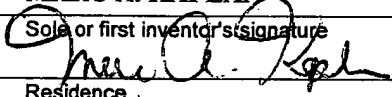
Daniel P. Morris, Reg. 32,053

Douglas W. Cameron, Reg. 31,596


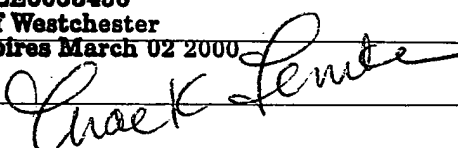
Paul J. Otterstedt, Reg. 37,411

Send Correspondence to: Jeffrey R. Klembczyk, Esq.  
HESLIN & ROTHENBERG, P.C.  
5 Columbia Circle  
Albany, NY 12203

Direct Telephone Calls to: *(name and telephone number)*  
Jeffrey R. Klembczyk, Esq. (518) 452-5600

Full name of sole or first inventor <b>MARC A. KAPLAN</b>	
Sole or first inventor's signature 	Date <b>8/19/99</b>
Residence 14 Holly Hill Lane, Lewisboro, New York 10536	
Citizenship USA	<b>Mae K. Lemke</b> Notary Public, State of New York No. 01LE6003456 County of Westchester Commission Expires March 02 2000
Post Office Address 14 Holly Hill Lane, Katonah, NY 10536	

Full name of second inventor, if any <b>KELLY ANNE SHAW</b>	
Second inventor's signature	Date
Residence 750 North Shoreline Blvd. , #22, Mountain View, CA 940043	
Citizenship USA	
Post Office Address 750 North Shoreline Blvd. , #22, Mountain View, CA 940043	

Full name of third inventor, if any <b>DANIEL C. STURMAN</b>	
Third inventor's signature 	Date <b>8/19/99</b>
Residence <b>408 Knickerbocker Road, Englewood, NJ 07631</b>	
Citizenship <b>USA</b>	
Post Office Address <b>408 Knickerbocker Road, Englewood, NJ 07631</b>	
<b>Mae K. Lemke</b> <b>Notary Public, State of New York</b> <b>No. 01LE6008456</b> <b>County of Westchester</b> <b>Commission Expires March 02 2000</b> 	

Full name of fourth inventor, if any	
Fourth inventor's signature	Date
Residence	
Citizenship	
Post Office Address	

Full name of fifth inventor, if any	
Fifth inventor's signature	Date
Residence	
Citizenship	
Post Office Address	

Full name of sixth inventor, if any	
Sixth inventor's signature	Date
Residence	
Citizenship	
Post Office Address	

Docket No.  
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and was amended on \_\_\_\_\_

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**HESLIN & ROTHENBERG, P.C.**  
 5 Columbia Circle  
 Albany, NY 12203

Direct Telephone Calls to: *(name and telephone number)*  
**Jeffrey R. Klembczyk, Esq. (518) 452-5600**

Full name of sole or first inventor <b>MARC A. KAPLAN</b>	
Sole or first inventor's signature	Date
Residence <b>14 Holly Hill Lane, Lewisboro, New York 10536</b>	
Citizenship <b>USA</b>	
Post Office Address <b>14 Holly Hill Lane, Katonah, NY 10536</b>	

Full name of second inventor, if any <b>KELLY ANNE SHAW</b>	
Second inventor's signature <i>Kelly Shaw</i>	Date <b>8/24/99</b>
Residence <b>750 North Shoreline Blvd., #22, Mountain View, CA 940043</b>	
Citizenship <b>USA</b>	
Post Office Address <b>750 North Shoreline Blvd., #22, Mountain View, CA 940043</b>	

Full name of third inventor, if any <b>DANIEL C. STURMAN</b>	
Third inventor's signature	Date
Residence <b>408 Knickerbocker Road, Englewood, NJ 07631</b>	
Citizenship <b>USA</b>	
Post Office Address <b>408 Knickerbocker Road, Englewood, NJ 07631</b>	

Full name of fourth inventor, if any	
Fourth inventor's signature	Date
Residence	
Citizenship	
Post Office Address	

Full name of fifth inventor, if any	
Fifth inventor's signature	Date
Residence	
Citizenship	
Post Office Address	

Full name of sixth inventor, if any	
Sixth inventor's signature	Date
Residence	
Citizenship	
Post Office Address	



**Associate Power Of Attorney Or Agent (37 CFR 1.34)  
(For Representation Related To A Patent Application)**

Docket No.  
**YO999-204**

In Re Application Of: **Kaplan et al.**

Serial No.  
**09/322,521**

Filing Date  
**05/28/1999**

Examiner  
**Prieto, B.**

Group Art Unit  
**2152**

Invention: **REDUCTION AND OPTIMIZATION OF INFORMATION PROCESSING SYSTEMS**

**TO THE ASSISTANT COMMISSIONER FOR PATENTS:**

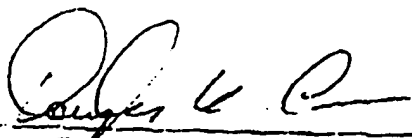
Please recognize the following as ☒ Associate Attorney ☐ Associate Agent in this application.

Name: **Wayne F. Reinke, Esq.**

Reg. No.: **36,650**

Address: **Heslin Rothenberg Farley & Meati P.C.  
5 Columbia Circle  
Alhany, New York 12203-5160**

Tel. No. **(518) 452-5600**



*Signature of Principal Attorney or Agent of Record*

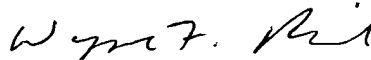
**Douglas W. Cameron Esq.  
Registration No. 31,596  
IBM Corporation  
T.J. Watson Research Center  
P.O. Box 218  
Yorktown Heights, NY 10598**

**Telephone: 914-945-3244**

*Registration Number & Address of Principal Attorney or Agent of Record*

Dated: 2/20, 2002

I hereby certify that this correspondence is being transmitted by facsimile transmission to:  
Examiner Beatrice Prieto, Group Art Unit 2152,  
United States Patent and Trademark Office,  
Washington, D.C. 20231, Facsimile No.  
(703) 746-7239, on February 21, 2002.



**Wayne F. Reinke**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Kaplan et al.

Serial No.: 09/322,521

Group Art Unit: 2731

Filed: 5/28/99

Examiner: Not Assigned

Title: REDUCTION AND OPTIMIZATION OF INFORMATION PROCESSING SYSTEMS

APPOINTMENT OF ASSOCIATE ATTORNEY

To: Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

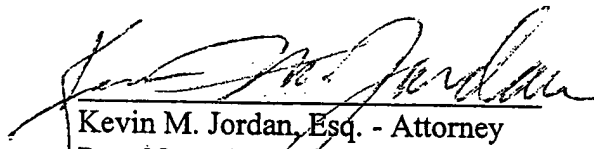
The undersigned attorney, who is an attorney in the Combined Declaration and Power of Attorney for the above-identified application, hereby appoints Jeff Rothenberg, Esq., Reg. No. 26,429, Kevin Radigan, Esq., Reg. No. 31,789, Blanche E. Schiller, Esq., Reg. No. 35,670, and Jeffrey R. Klembczyk, Esq., Reg. No. 39,730 of Heslin & Rothenberg, P.C., 5 Columbia Circle, Albany, New York 12203 (telephone number 518-452-5600) as his associate attorneys to prosecute said application and to transact all business in the Patent and Trademark Office connected therewith.

Please direct all official communications to Jeffrey R. Klembczyk, Esq., at the following

address:

**HESLIN & ROTHENBERG, P.C.**  
**5 Columbia Circle**  
**Albany, New York 12203-5160**

Respectfully submitted,

  
Kevin M. Jordan, Esq. - Attorney  
Reg. No.: 40,277  
Tel. No.: (914) 945-2120

IBM Corporation  
Intellectual Property Law Dept.  
T.J. Watson Research Center  
P.O. Box 218  
Yorktown Heights, NY 10598



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

NOVEMBER 01, 1999

PTAS

HESLIN & ROTHENBERG, P.C.  
JEFFREY R. KLEMBEZYK, ESQ.  
5 COLUMBIA CIRCLE  
ALBANY, NY 12203



\*101134492A\*

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UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 08/30/1999

REEL/FRAME: 010199/0916  
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:  
KAPLAN, MARC A.

DOC DATE: 08/19/1999

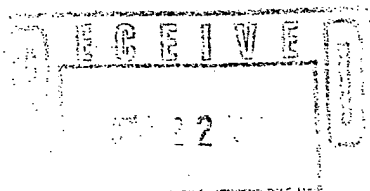
ASSIGNOR:  
STURMAN, DANIEL C.

DOC DATE: 08/19/1999

ASSIGNEE:  
INTERNATIONAL BUSINESS MACHINES  
CORPORATION  
NEW ORCHARD ROAD  
ARMONK, NEW YORK 10504

SERIAL NUMBER: 09322521  
PATENT NUMBER:

FILING DATE: 05/28/1999  
ISSUE DATE:



010199/0916 PAGE 2

SHAREILL COLES, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

09-02-1999



101134492

Docket No.: YO999-203

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

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To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Marc A. Kaplan  
Daniel C. Sturman

8.30.99

Additional names(s) of conveying party(ies) ☐ Yes ☒ No

3. Nature of conveyance:

☒ Assignment

☐ Merger

☐ Security Agreement

☐ Change of Name

☐ Other

Execution Date: 8/19/99; 8/19/99

2. Name and address of receiving party(ies):

Name: International Business Machines Corporation

Internal Address:

Street Address: New Orchard Road

City: Armonk State: NY ZIP: 10504

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or registration numbers(s):

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s)

09/322,521

5/28/99

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Jeffrey R. Klembczyk, Esq.

Internal Address: HESLIN & ROTHENBERG, P.C.

Street Address: 5 Columbia Circle

City: Albany State: NY ZIP: 12203

6. Total number of applications and patents involved:

1

7. Total fee (37 CFR 3.41):.....\$ 40.00

☒ Enclosed - Any excess or insufficiency should be credited or debited to deposit account

☐ Authorized to be charged to deposit account

8. Deposit account number:

08-1935

09/01/1999 DMGUYEN 00000111 09322521

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40.00 OP

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Jeffrey R. Klembczyk, Esq.

Name of Person Signing

Signature

August 27, 1999

Date

Total number of pages including cover sheet, attachments, and document:

3

# A S S I G N M E N T

Whereas, we

- (1) Marc A. Kaplan of Lewisboro  
County of Westchester and State of New York
- (2) Kelly A. Shaw of Mountain View  
County of Santa Clara and State of California
- (3) Daniel C. Sturman of Englewood  
County of Bergen and State of New Jersey

have invented certain improvements in

## REDUCTION AND OPTIMIZATION OF INFORMATION PROCESSING SYSTEMS

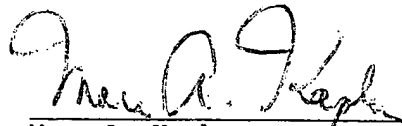
and executed a United States Patent Application therefor on even dates herewith, said Application filed May 28, 1999 as serial number 09/322,521.

Whereas, INTERNATIONAL BUSINESS MACHINES CORPORATION, a corporation of New York, having a place of business at New Orchard Road, Armonk, New York, 10504, (hereinafter called IBM), desires to acquire the entire right, title and interest in the said application and invention, and to any United States and foreign patents to be obtained therefor;

Now therefore, for a valuable consideration, receipt whereof is hereby acknowledged, we, the above named, hereby sell, assign and transfer to IBM, its successors and assigns, the entire right, title and interest in the said application and the invention therein disclosed for the United States and foreign countries, and all rights of priority resulting from the filing of said United States application, and we request the Commissioner of Patents to issue any Letters Patents granted upon the invention set forth in said application to IBM, its successors and assigns; and I hereby agree that IBM may apply for foreign Letters Patent on said invention and I will execute all papers necessary in connection with the United States and foreign applications when called upon to do so by IBM.

Signed

(1) at (Hawthorne, New York)  
on August 19, 1999

  
Marc A. Kaplan

(2) at (\_\_\_\_\_, California)  
on \_\_\_\_\_

\_\_\_\_\_  
Kelly A. Shaw

(3) at (Hawthorne, New York)  
on August 19, 1999

  
Daniel C. Sturman

State of New York  
County of Westchester ss.:

On this 19<sup>th</sup> day of August, 1999, before me personally came MARC A. KAPLAN to me personally known, and known to me to be the person described in and who executed the foregoing assignment, and he acknowledged to me that he executed the same as his free act and deed.

**Mae K. Lemke**  
Notary Public, State of New York  
No. 01LE6003456

State of New York  
County of Westchester  
County of Commission Expires March 02 2000 ss.:

Mae K. Lemke  
Notary Public

On this \_\_\_\_\_ day of \_\_\_\_\_, 1999, before me personally came KELLY A. SHAW to me personally known, and known to me to be the person described in and who executed the foregoing assignment, and she acknowledged to me that she executed the same as her free act and deed.

\_\_\_\_\_  
Notary Public

State of New York  
County of Westchester ss.:

On this 19<sup>th</sup> day of August, 1999, before me personally came DANIEL C. STURMAN to me personally known, and known to me to be the person described in and who executed the foregoing assignment, and he acknowledged to me that he executed the same as his free act and deed.

**Mae K. Lemke**  
Notary Public, State of New York  
No. 01LE6003456  
County of Westchester  
Commission Expires March 02 2000

Mae K. Lemke  
Notary Public





UNITED STATES DEPARTMENT OF COMMERCE  
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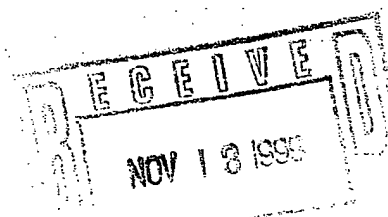
ASSIGNEE:

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ARMONK, NEW YORK 10504

SERIAL NUMBER: 09322521  
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Tab settings → → → ▼

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Kelly A. Shaw

2. Name and address of receiving party(ies):

Business Machines Corporation

Name: International Business Machines Corporation

Internal Address:

Street Address: New Orchard Road

City: Armonk State: NY ZIP: 10504

Additional names(s) of conveying party(ies) ☐ Yes ☒ No

3. Nature of conveyance:

☒ Assignment

☐ Merger

☐ Security Agreement

☐ Change of Name

☐ Other

Execution Date: 8/24/99

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or registration numbers(s):

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s)

09/322,521

5/28/99

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Jeffrey R. Klembczyk, Esq.

Internal Address: HESLIN & ROTHENBERG, P.C.

Street Address: 5 Columbia Circle

City: Albany State: NY ZIP: 12203

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41): \$ 40.00

☒ Enclosed - Any excess or insufficiency should be credited or debited to deposit account

☐ Authorized to be charged to deposit account

8. Deposit account number:

08-1935

09/01/1999 DNGUYEN 00000112 09322521

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40.00 DP

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Jeffrey R. Klembczyk, Esq.

Name of Person Signing

Signature

August 27, 1999

Date

Total number of pages including cover sheet, attachments, and document:

3

# A S S I G N M E N T

Whereas, we

- |     |   |   |
|-----|---|---|
| (1) | Marc A. Kaplan<br>County of Westchester | of Lewisboro<br>and State of New York       |
| (2) | Kelly A. Shaw<br>County of Santa Clara  | of Mountain View<br>and State of California |
| (3) | Daniel C. Sturman<br>County of Bergen   | of Englewood<br>and State of New Jersey     |

have invented certain improvements in

## REDUCTION AND OPTIMIZATION OF INFORMATION PROCESSING SYSTEMS

and executed a United States Patent Application therefor on even dates herewith, said Application filed May 28, 1999 as serial number 09/322,521.

Whereas, INTERNATIONAL BUSINESS MACHINES CORPORATION, a corporation of New York, having a place of business at New Orchard Road, Armonk, New York, 10504, (hereinafter called IBM), desires to acquire the entire right, title and interest in the said application and invention, and to any United States and foreign patents to be obtained therefor;

Now therefore, for a valuable consideration, receipt whereof is hereby acknowledged, we, the above named, hereby sell, assign and transfer to IBM, its successors and assigns, the entire right, title and interest in the said application and the invention therein disclosed for the United States and foreign countries, and all rights of priority resulting from the filing of said United States application, and we request the Commissioner of Patents to issue any Letters Patents granted upon the invention set forth in said application to IBM, its successors and assigns; and I hereby agree that IBM may apply for foreign Letters Patent on said invention and I will execute all papers necessary in connection with the United States and foreign applications when called upon to do so by IBM.

Signed

- |     |  |  |
|-----|--|--|
| (1) | at (_____, New York)<br>on _____                                       | _____<br>Marc A. Kaplan                        |
| (2) | at ( <u>NEWTON</u> , <u>CONNECTICUT</u> )<br>on <u>August 24, 1999</u> | _____<br><i>Kelly A. Shaw</i><br>Kelly A. Shaw |
| (3) | at (_____, New York)<br>on _____                                       | _____<br>Daniel C. Sturman                     |

State of )  
County of ) ss.:

On this       day of       , 1999, before me personally came MARC A. KAPLAN to me personally known, and known to me to be the person described in and who executed the foregoing assignment, and he acknowledged to me that he executed the same as his free act and deed.

\_\_\_\_\_  
Notary Public

State of Connecticut )  
County of Fairfield ) ss.: NEWTOWN

On this 24<sup>th</sup> day of August , 1999, before me personally came KELLY A. SHAW to me personally known, and known to me to be the person described in and who executed the foregoing assignment, and she acknowledged to me that she executed the same as her free act and deed.

**EILEEN W. BEVANS**  
**NOTARY PUBLIC**  
MY COMMISSION EXPIRES JUNE 30, 2001

Eileen W. Bevans  
Notary Public

State of )  
County of ) ss.:

On this       day of       , 1999, before me personally came DANIEL C. STURMAN to me personally known, and known to me to be the person described in and who executed the foregoing assignment, and he acknowledged to me that he executed the same as his free act and deed.

\_\_\_\_\_  
Notary Public